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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/795,825	03/08/2004	Morteza Cyrus Afghahi	13435US04	2778
23446	7590	12/01/2004	EXAMINER	
<b>MCANDREWS HELD &amp; MALLOY, LTD</b> 500 WEST MADISON STREET SUITE 3400 CHICAGO, IL 60661				WELLS, KENNETH B
			ART UNIT	PAPER NUMBER
			2816	

DATE MAILED: 12/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/795,825	AFGHAHI ET AL.
Examiner	Art Unit	
Kenneth B. Wells	2816	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 15 October 2004.

2a)  This action is FINAL.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1 and 5-8 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 1 and 5-8 is/are rejected.  
7)  Claim(s) \_\_\_\_\_ is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date

4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_ .

5)  Notice of Informal Patent Application (PTO-152)

6)  Other: \_\_\_\_\_

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1. The amendment filed on 10/15/04 has been received and entered in the case. In view of newly discovered prior art, new grounds of rejection are now set forth. Any inconvenience caused by the delay in citing this new prior art is regretted.
2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. The disclosure is objected to because of the following informalities: on page 34, line 7, "DataIn 1013" is not seen in Fig. 10. Also on page 34, lines 12 and 14, "M190" should be deleted because it is not seen in Fig. 10 (note also the same problem with regard to "M187" on line 13). On line 17 of page 34, "source" should be changed to --drain-- and "M162" should be deleted. Appropriate correction is required.
4. Claims 1 and 5-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Pilo.

Note Fig. 1, where the "sampling circuit" reads on circuit 43 or circuit 52; the recited "reference node" reads on node 102 or 101; and the recited "timing circuit" reads on the circuitry which provides clock CLK in combination with circuits 36, 37, 38 and 40. Also note Fig. 2 which shows that the input

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signal MUXLAT\* is provided to node 102 prior to the sense amplifier comparison (started by enabling of the sense amplifier via signal OE).

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Note the remaining references on the attached PTO-892, each of which is seen to anticipate at least independent claims 1 and 5 as well.

6. In view of the above-noted new grounds of rejection not necessitated by applicant's amendments, this action is non-final.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenneth B. Wells whose telephone number is (571)272-1757. The examiner can normally be reached on Monday through Friday from 8:30am to 5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy P. Callahan, can be reached at (571)272-1740. The fax phone number for the

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organization where this application or proceeding is assigned is  
703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Kenneth Wells*  
Kenneth B. Wells  
Primary Examiner  
Art Unit 2816

November 26, 2004